

1/4/07

AMENDMENT TRANSMITTAL LETTER			Docket Number EMS-06401
Application Number 10/667,170	Filing Date September 19, 2003	Examiner Patel, Hetul B.	Group Art Unit 2186

Invention Title
MESSAGE-BASED DISTRIBUTED SYNCHRONIZATION IN A STORAGE SYSTEM

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application, including:


- (X) Amendment and Response to Office Action
- (X) Amendment Transmittal (in duplicate)
- (X) Information Disclosure Statement (in duplicate)
- (X) PTO 1449 Form
- (X) Return Postcard

CLAIMS AS AMENDED

	(1)		(2)	(3)		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	45	Minus	45	0	x \$ 50	\$ 0
INDEPENDENT CLAIMS	6	Minus	4	2	x \$200	\$ 400
MULTIPLE DEPENDENT CLAIM ADDED					\$360	\$
					TOTAL	\$ 400
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL		\$	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the highest number previously paid for Total Claims in column 2 is less than 20, enter "20."
*** If the highest number previously paid for Independent Claims in column 2 is less than 3, enter "3."
The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.


- (X) Please charge **Deposit Account Number 050889** in the amount of \$400.00. A duplicate copy of this sheet is enclosed.
- () A check in the amount of \$ _____ to cover the filing fee is enclosed.
- (X) Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our **Deposit Account Number 050889**.



Anne E. Saturnelli, Reg. No. 41,290
December 28, 2006

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, December 28, 2006.



Bonny Rogers

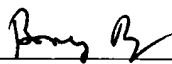


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NIVER, et al. :
Serial No.: 10/667,170 : Examiner: Patel, Hetul B.
Filed: September 19, 2003 : Art Unit: 2186
For: **MESSAGE-BASED** : Atty. Docket: EMS-06401
DISTRIBUTED :
SYNCHRONIZATION IN A :
STORAGE SYSTEM :

Certificate of Mailing

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 28, 2006 .


Name: Bonny Rogers

AMENDMENT AND RESPONSE

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being provided in response to the Office Action mailed October 6, 2006, for the above-captioned U.S. patent application.

Amendments to the Claims are reflected in the listing of claims which begin on **Page 3** of this paper.

Remarks/Arguments begin on **Page 19** of this paper.

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It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in two originally-executed copies of an Amendment Transmittal Letter filed herewith.